

ESTTA Tracking number: **ESTTA746354**

Filing date: **05/13/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Office of the Commissioner of Baseball
Granted to Date of previous extension	05/15/2016
Address	245 Park Avenue New York, NY 10167 UNITED STATES
Attorney information	Maryann E. Licciardi Cowan, Liebowitz and Latman, P.C. 114 West 47th Street New York, NY 10036-1525 UNITED STATES njh@cll.com, szl@cll.com, trademark@cll.com, mel@cll.com Phone:212-790-9200

### Applicant Information

Application No	86674950	Publication date	11/17/2015
Opposition Filing Date	05/13/2016	Opposition Period Ends	05/15/2016
Applicant	Slingo, Inc. 1501 1st Avenue S., Suite 600 Seattle, WA 98134 UNITED STATES		

### Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Downloadable electronic gaming software-for mobile phones, smartphones, tablets, personal electronic devices, and portable electronic gaming systems and gamingplatforms; Downloadable electronic gaming software for use with social networking applications and on social networkingwebsites
Class 041. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Entertainment services, namely, providing online bingo games through a computer, social networking or mobile platform; Entertainment services, namely, providing online bingo games accessible by meansof computer networks, wireless networks, mobile phone applications, and web-based applications; Entertainment services,namely, arranging and conducting bingo tournaments via a global computer network, via social networking, and via mobilephones, smartphones, tablets, personal electronic devices, and portable electronic gaming systems and gaming platforms;Providing online bingo games; Online gaming services

### Grounds for Opposition

Other	See attached pleading.
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Attachments	WORLD SERIES OF BINGO - Letter to Commisioner 051316.pdf(1190482 bytes ) WORLD SERIES OF BINGO - Notice of Opposition 051316.pdf(106591 bytes )
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### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Maryann E. Licciardi/
Name	Maryann E. Licciardi
Date	05/13/2016



Cowan, Liebowitz & Latman, P.C.  
1133 Avenue of the Americas  
New York, NY 10036

(212) 790-9200 Tel  
(212) 575-0671 Fax  
www.cll.com

Maryann E. Licciardi  
212-790-9218  
mel@cll.com

May 13, 2016

**By Electronic Filing**

Commissioner for Trademarks  
Attn: TTAB  
P.O. Box 1451  
Alexandria, VA 223131451

**Re: Office of the Commissioner of Baseball  
Notice of Opposition against  
Application No. 86674950 of  
Gaming Realms Plc (by assignment from Slingo, Inc.)  
Application to register WORLD SERIES OF BINGO  
Ref. No. 21307.000**

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Dear Commissioner:

We enclose a Notice of Opposition against Application Serial Number 86674950, published in the Official Gazette on November 17, 2015. Contemporaneously with the electronic filing of this Consolidated Notice of Opposition, we are arranging for an electronic payment in the amount of \$600 to cover the filing fee.

If the amount received is insufficient and additional fees are required, please charge our Deposit Account No. 03-3415.

Please address all future correspondence to the attention of Mary L. Kevlin of Cowan, Liebowitz & Latman, P.C.

Respectfully submitted,

/Maryann E. Licciardi  
Maryann E. Licciardi

Enclosures

cc: Ms. Diane Kovach (w/encs)  
Mary L. Kevlin, Esq. (w/encs.)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 86674950  
Filed: June 25, 2015  
For Mark: WORLD SERIES OF BINGO  
Published in the Official Gazette: November 17, 2015

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OFFICE OF THE COMMISSIONER OF	:	
BASEBALL,	:	Opposition No.
	:	
Opposer,	:	
	:	
v.	:	<b><u>NOTICE OF OPPOSITION</u></b>
	:	
GAMING REALMS PLC (by assignment from	:	
Slingo, Inc.),	:	
	:	
Applicant.	:	
-----X		

Commissioner for Trademarks  
Attn: Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Opposer, Office of the Commissioner of Baseball ( `Opposer\_ ), a New York  
unincorporated association with offices at 245 Park Avenue, New York, New York 10167,  
believes that it will be damaged by registration of the standard character word mark WORLD  
SERIES OF BINGO ( `Applicant's Mark\_ ) by Gaming Realms Plc ( `Applicant\_ ) for  
`Downloadable electronic gaming software for mobile phones, smartphones, tablets, personal  
electronic devices, and portable electronic gaming systems and gaming platforms; Downloadable  
electronic gaming software for use with social networking applications and on social networking  
websites\_ in International Class 9, and `Entertainment services, namely, providing online bingo  
games through a computer, social networking or mobile platform; Entertainment services,  
namely, providing online bingo games accessible by means of computer networks, wireless  
networks, mobile phone applications, and web-based applications; Entertainment services,

namely, arranging and conducting bingo tournaments via a global computer network, via social networking, and via mobile phones, smartphones, tablets, personal electronic devices, and portable electronic gaming systems and gaming platforms; Providing online bingo games; Online gaming services\_ in Class 41, as shown in Application Serial No. 86674950 (the `Application\_), and having been granted extensions of time to oppose the Application up to and including May 15, 2016, hereby opposes the same.

As grounds for opposition, it is alleged that:

1. Since long prior to June 25, 2015, Applicant's constructive first use date, Opposer and its predecessors, and their affiliated and related entities, licensees and/or sponsors, have used various marks that comprise or contain the term WORLD SERIES, alone or with other word, letter and/or design elements (collectively, `Opposer's WORLD SERIES Marks\_) on or in connection with baseball games and exhibition services, including games that have been rendered live and through broadcast media, including television, radio, online platforms, and other electronic media and via a global computer network, and a wide variety of goods and other services, including, but not limited to, electronic game software, including downloadable games and games for personal electronic devices; online games and game services; apparel; novelty items; toys and sporting goods; jewelry; and paper goods and printed matter.

2. Opposer owns United States federal registrations for Opposer's WORLD SERIES Marks in International Classes 9, 14, 16, 18, 20, 21, 24, 25, 28, 35 and 41, namely Registration Nos. 1,178,547; 1,478,631; 1,478,775; 1,479,756; 1,542,959; 1,559,036; 1,615,625; 1,648,385; 1,825,850; 1,844,979; 1,861,888; 2,700,976; 2,709,813; 2,709,814; 3,410,585; 3,424,320; 3,438,400; 3,443,094; 3,455,863; 3,624,727; 3,624,728; 3,628,858; 4,373,051, 4,380,650 and 4,649,491. Registration Nos. 1,178,547; 1,478,631; 1,478,775; 1,479,756; 1,542,959;

1,559,036; 1,615,625; 1,648,385; 1,825,850; 1,844,979; 1,861,888; 2,709,813; 2,709,814; 3,410,585; 3,424,320; 3,438,400; 3,443,094; 3,455,863; 3,624,727; 3,624,728 and 3,628,858 are incontestable.

3. Since long prior to June 25, 2015, Applicant's constructive first use date, Opposer and its predecessors, and their affiliated and related entities, licensees and/or sponsors, have extensively promoted and advertised the sale and distribution of goods and services bearing or offered in connection with Opposer's WORLD SERIES Marks, including, but not limited to, baseball games and exhibition services, including games that have been rendered live and through broadcast media, including television, radio, online platforms, and other electronic media and via a global computer network, and a wide variety of goods and other services, including, but not limited to, electronic game software, including downloadable games and games for personal electronic devices; online games and game services; apparel; novelty items; toys and sporting goods; jewelry; and paper goods and printed matter, and have sold or distributed such goods and rendered such services in commerce

4. As a result of the extensive sales and promotion of its goods and services bearing or offered in connection with Opposer's WORLD SERIES Marks, Opposer has built up highly valuable goodwill in Opposer's WORLD SERIES Marks, and said goodwill has become closely and uniquely identified and associated with Opposer.

5. On June 25, 2015, Slingo, Inc., a New Jersey corporation, filed the Application to register Applicant's Mark for 'Downloadable electronic gaming software for mobile phones, smartphones, tablets, personal electronic devices, and portable electronic gaming systems and gaming platforms; Downloadable electronic gaming software for use with social networking applications and on social networking websites' in International Class 9, and 'Entertainment

services, namely, providing online bingo games through a computer, social networking or mobile platform; Entertainment services, namely, providing online bingo games accessible by means of computer networks, wireless networks, mobile phone applications, and web-based applications; Entertainment services, namely, arranging and conducting bingo tournaments via a global computer network, via social networking, and via mobile phones, smartphones, tablets, personal electronic devices, and portable electronic gaming systems and gaming platforms; Providing online bingo games; Online gaming services\_ in Class 41, based on an intent to use.

6. Upon information and belief, the Application was assigned from Slingo, Inc. to Applicant Gaming Realms Plc, a United Kingdom public limited company, on February 17, 2016 and said assignment was recorded with the United States Patent and Trademark Office at Reel No. 5746/ Frame No. 0049 on March 4, 2016.

7. Upon information and belief, Applicant did not use Applicant's Mark in commerce in connection with the goods and services covered by the Application prior to June 25, 2015, Applicant's constructive first use date.

8. The goods and services covered by the Application are identical and/or closely related to the goods offered and services rendered in connection with Opposer's WORLD SERIES Marks.

9. The term WORLD SERIES in Applicant's Mark is identical to Opposer's WORLD SERIES Marks.

10. The word BINGO in Applicant's Mark is disclaimed as descriptive.

11. Applicant's Mark, which primarily consists of the identical term WORLD SERIES and the descriptive word BINGO, so resembles Opposer's WORLD SERIES Marks as

to be likely when used in connection with Applicant's goods and services, to cause confusion, to cause mistake, and to deceive the trade and public, who are likely to believe that Applicant's goods and services have their origin with Opposer and/or that such goods and services are approved, endorsed or sponsored by Opposer or associated in some way with Opposer.

WHEREFORE, Opposer believes that it will be damaged by registration of Applicant's Mark and requests that the opposition be sustained and said registration be denied.

Please recognize as attorneys for Opposer in this proceeding Mary L. Kevlin and Maryann Licciardi (members of the bar of the State of New York) and the firm Cowan, Liebowitz & Latman, P.C., 114 West 47th Street, New York, New York 10036-1525.

Please address all communications to Mary L. Kevlin, Esq. at the address listed below.

Dated: New York, New York  
May 13, 2016

Respectfully submitted,

COWAN LIEBOWITZ & LATMAN, P.C.  
*Attorneys for Opposer*

By: /Maryann E. Licciardi/  
Mary L. Kevlin  
Maryann Licciardi

114 West 47th Street  
New York, New York 10036-1525  
(212)790-9200



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on May 13, 2016, I caused a true and correct copy of the foregoing *Notice of Opposition* to be sent via First Class Mail, postage prepaid, to Applicant's Correspondent of Record, Ryan Gile, Weide & Miller Ltd, 7251 W Lake Mead Blvd Ste 530, Las Vegas, NV 89128-8373.

Dated: New York, New York  
May 13, 2016

/Maryann Licciardi/  
Maryann Licciardi